

REGULAR MEETING MINUTES

CITY COMMISSION

March 27, 2003

A **REGULAR MEETING** of the Winter Garden City Commission was called to order by Mayor Jack Quesinberry at 6:30 p.m. in City Hall Commission Chambers. The invocation and Pledge of Allegiance were given.

PRESENT: Mayor Jack Quesinberry, Commissioners John Harriman, Mildred Dixon, Theo Graham and John Rees

Also Present: City Manager Hollis Holden, Assistant City Attorney Lionel Rubio, City Clerk Kathy Montoya, Assistant to the City Manager Marshall Robertson, Utilities Director Charlie Tinch, Finance Director Mike Bollhoefer, Public Works Director Bob Smith, Fire Chief John Williamson, Human Resources Director Victoria Ward, Trailer City Manager Hughlan Martin, Recreation Director Larry Caskey, Police Chief Jimmie Yawn, City Planner Mark Cechman and Michael Laval of The West Orange Times

1. APPROVAL OF MINUTES

Motion by Commissioner Rees to approve the minutes of March 13, 2003 as submitted. Seconded by Commissioner Harriman and carried unanimously 5-0.

2. PRESENTATIONS

- Mr. Renzy Hanshaw, Executive Director with Orange County's Office of Emergency Management, stated he was present to give an update on the Orange County Local Hazard Mitigation Plan, which is a multi-jurisdictional plan that includes Winter Garden. The Orange County Mitigation 2020 Task Force has conducted detailed studies to identify the hazards threatening the participating jurisdictions within Orange County and have estimated the relative risk posed to the community by these hazards. These identified projects and programs are included as mitigation initiatives for implementation when and where the resources become available and together we are going to build a more disaster-resistant community. On behalf of Orange County Chairman Crotty, he and Winter Garden's Local Mitigation Strategy (LMS) Steering Committee Representative, Jennifer Pitner, presented the City Commission with the updated LMS plan of the formally approved Mitigation Strategy. City Manager Holden stated that the LMS plan is the result of the City Commission's approval of funding along with staff's input to the plan.

- Mr. Dennis Foltz, Director of Planning for Orange County Public Schools, introduced Ms. Kathleen Palmer, West Learning Community, Area Executive Director. Ms. Palmer provided the following information:

	<u>Dillard Street E.S.</u>	<u>Lakeview Middle</u>	<u>West Orange High</u>
Enrollment as of 1/15/03	682		1,224
Ethnicity:			
White	47%	58%	57%
Hispanic	27%	22%	18%
Black	22%	14%	25%
Other	4%	6%	---
Free/Reduced Lunch rate	65%	37%	22%
Attendance Rate	95%	94%	94%

Within this learning community, they have 10 "A", 5 "B", and 11 "C" schools, and 2 schools too new to grade.

Ms. Debra Knerr, **Dillard Street Elementary School** Principal, highlighted her special programs:

- LIFT Tutorial
- After School Club
- Knights of the Round Table
- 'Read with Me' Parent Involvement

Ms. Debra Lucas, **Lakeview Middle School** Principal, highlighted her special programs:

- Write to The Future
- Striving for Excellence
- All 6th Grade Students Enrolled in Reading
- Remedial Reading for 7th and 8th Graders

They have also started collecting shoeboxes to send to the military, and each morning as part of announcements, they honor someone in the military.

Mr. Michael Armbruster, **West Orange High School** Principal, highlighted his special programs:

- High AP Test scores in Mathematics
- Mu Alpha Theta Honor Society Tutors
- Featured School at Florida State Thespian Festival
- JAFROTC State and National Awards for Drill Teams
- Band received superior ratings and marches in 2003 Chicago St. Patrick's Day Parade
- Chorus received superior ratings
- AVID (Advancement Via Individual Determination)

Ms. Palmer highlighted some grants received and some of the partnerships between the schools and various organizations. She thanked the City Commission for the opportunity to help enlighten them about the schools in the West Learning Community. City Manager Holden stated that if for any reason the City of Winter Garden can help facilitate the schools, please feel free to contact staff.

3. **REGULAR BUSINESS:**

A. **Request for donation by the Winter Garden Elks Lodge #2165**

Ms. Peggy Warren stated that their request for a \$500 donation is for their Annual Charity Ball that supports their Mobile Therapy Units and the Youth Camp. As of a week ago, they have 20 vans that are averaging 360 children a week in the State of Florida doing physical and occupational therapy. **Motion by Commissioner Graham to donate \$500 to the Winter Garden Elks Lodge #2165. Seconded by Commissioner Dixon and carried 5-0.**

B. **Resolution 03-05: A RESOLUTION OF THE CITY OF WINTER GARDEN, FLORIDA, CLARIFYING THE BLACK LAKE ESTATES PUD WHICH WAS ADOPTED BY ORDINANCE 02-02; PROVIDING AN EFFECTIVE DATE**

Assistant City Attorney Rubio read Resolution 03-05 by title only. City Planner Cechman stated that this property is located on the west side of CR 535. The Black Lake project was approved in February 2002 for a PUD. The owners now would like to have more flexibility for the 75-foot wide lots that have a 10-foot side yard setback to a 7.5-foot side yard setback, for a total of 15 feet between the two structures, so the developer would be able to build larger homes. Staff recommends approval. Commissioner Graham asked how many 75-foot lots are in the project. The applicant stated that there are 110 lots at 75 feet wide. **Motion by Commissioner Harriman to approve Resolution 03-05. Seconded by Commissioner Dixon and carried unanimously 5-0.**

C. **Recommendation to approve Stone Crest Pedestrian Plan**

City Planner Cechman stated that the applicant's planner, Glatting Jackson, has submitted a proposed pedestrian plan for the Stone Crest development and is present to address any questions. Mr. John Rinehart, with Glatting Jackson as representative for the applicant, stated that they looked at where the Community Center is and took the opportunity to redesign the one village to have a direct pedestrian connection without everyone walking out to 535 to get to it. The lakes had to be divided from a stormwater perspective, in order to meet the Apopka guidelines and it gave them a chance to have a land bridge connection to that community. Mayor Quesinberry asked about the safety factor mentioned in the paperwork submitted. Mr. Rinehart stated when the preliminary site plan was originally submitted, there was a walkway around the retention pond. They removed the walkway because they did not want to create that environment around a stormwater facility. Commissioner Graham asked if the same changes were made in Village 4 because it looks like they had a walkway around the first pond. Mr. Rinehart stated that there is a trail designed to go around the pond at the community center.

Motion by Commissioner Harriman to approve the Stone Crest Pedestrian Plan as submitted in the agenda package. Seconded by Commissioner Dixon and carried unanimously 5-0.

4. **FIRST READING OF PROPOSED ORDINANCES:**

- A. **Ordinance 03-05: AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE CITY OF WINTER GARDEN'S COMPREHENSIVE PLAN BY INCLUDING PROPERTY GENERALLY DESCRIBED AS 0.53 ACRES OF LAND LOCATED AT 22 EAST STORY ROAD AS COMMERCIAL; PROVIDING FOR AN EFFECTIVE DATE**

Assistant City Attorney Rubio read Ordinance 03-05 by title only. **Motion by Commissioner Rees to approve Ordinance 03-05 and to schedule the public hearing for April 24, 2003. Seconded by Commissioner Harriman and carried unanimously 5-0.**

- B. **Ordinance 03-06: AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING A 0.53 ACRE LOT LOCATED AT 22 EAST STORY ROAD MORE SPECIFICALLY DESCRIBED HEREIN FROM CITY R2 TO CITY G2; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE**

Assistant City Attorney Rubio read Ordinance 03-06 by title only. **Motion by Commissioner Harriman to approve Ordinance 03-06 and to schedule the public hearing for April 24, 2003. Seconded by Commissioner Rees and carried unanimously 5-0.**

- C. **Ordinance 03-07:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, PROVIDING FOR THE ANNEXATION OF CERTAIN ADDITIONAL LANDS GENERALLY DESCRIBED AS 5.8 ACRES LOCATED AT 305 BEULAH ROAD AND MORE SPECIFICALLY DESCRIBED HEREIN INTO THE CITY OF WINTER GARDEN, FLORIDA; REDEFINING THE CITY BOUNDARIES TO GIVE THE CITY JURISDICTION OVER SAID PROPERTY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Assistant City Attorney Rubio read Ordinance 03-07 by title only. **Motion by Commissioner Harriman to approve Ordinance 03-07 and to schedule the public hearing for April 24, 2003. Seconded by Commissioner Graham and carried unanimously 5-0.**

- D. **Ordinance 03-08:** AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE CITY OF WINTER GARDEN'S COMPREHENSIVE PLAN BY INCLUDING PROPERTY GENERALLY DESCRIBED AS 5.8 ACRES OF LAND LOCATED AT 305 BEULAH ROAD AS LOW DENSITY RESIDENTIAL; PROVIDING AN EFFECTIVE DATE

Assistant City Attorney Rubio read Ordinance 03-08 by title only. **Motion by Commissioner Rees to approve Ordinance 03-08 and to schedule the public hearing for April 24, 2003. Seconded by Commissioner Graham and carried unanimously 5-0.**

- E. **Ordinance 03-09:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA, REZONING A 5.8 ACRE LOT LOCATED AT 305 BEULAH ROAD AND MORE SPECIFICALLY DESCRIBED HEREIN FROM ORANGE COUNTY A-1 TO CITY R1; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Assistant City Attorney Rubio read Ordinance 03-09 by title only. **Motion by Commissioner Harriman to approve Ordinance 03-09 and to schedule the public hearing for April 24, 2003. Seconded by Commissioner Graham and carried unanimously 5-0.**

- F. **Ordinance 03-04:** AN ORDINANCE OF THE CITY OF WINTER GARDEN, FLORIDA AMENDING ARTICLE IV OF CHAPTER 66 OF THE CODE OF ORDINANCES OF THE CITY OF WINTER GARDEN RELATING TO OCCUPATIONAL LICENSE FEES; PROVIDING FOR AN INCREASE IN THE OCCUPATIONAL LICENSE TAX RATES; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE

Assistant City Attorney Rubio read Ordinance 03-04 by title only. **Motion by Commissioner Harriman to approve Ordinance 03-04 and to schedule the public hearing for April 24, 2003. Seconded by Commissioner Dixon and carried unanimously 5-0.**

5. **MATTERS OF CONCERN FROM CITIZENS:** None

6. **MATTERS FROM ASSISTANT CITY ATTORNEY LIONEL RUBIO:** None

7. **MATTERS FROM CITY MANAGER HOLLIS HOLDEN:**

A. **Financial Statement for February 2003**

Stated that the City is in excellent financial condition with revenues ahead of expenses and he is available to answer any questions.

- Encouraged everyone to attend the Bloom 'N' Grow Spring Fever event downtown this Saturday.
- Announced that the County has implemented the one-way directional change to Tildenville School Road this past Monday, whereby north of Plant on Tildenville School Road is one direction to the north. City Staff has made it clear to the County that it is not the best plan and County Commissioner Jacobs has indicated that it is her decision and she wants to try it that way. Mr. Holden stated that while this is the cheapest way for the County to deal with another related issue, he feels the County will eventually have to obtain the right-of-way and make it a two-lane road that will properly serve that school. City staff and the Mayor of Oakland believe that the intersection needs a traffic light, based upon the number of accidents, and since we have control he will be submitting a request to the City Commission for a funding request after we complete the warrant study and design.
- The City of Winter Garden has closed on the purchase of the property across from City Hall and clean up is underway.
- Advised that the Orange County School Board has closed on the property for the driveway for Dillard Street School. The final plans will be forthcoming and the best price, either the County School Board's contractor or the City Public Works Department, will be presented to the City Commission for approval.

B. **Update on Weatherization Program**

Finance Director Bollhoefer presented the City Commission with a listing of the participants and stated that the program deadline is June 30th. Staff is looking for 30-35 more participants. Staff is actively pursuing applicants. City Manager Holden stated Mr. Bollhoefer has done an excellent job on getting this program going.

- Mr. Holden stated that there is a 98-year-old resident who owns a duplex and lives in half and rents the other half to a caregiver. Approximately three months ago, the caregiver vacated the duplex and the owner is being charged for garbage to both units and the readiness-to-serve charge of \$35 a month, which is causing her great financial hardship until such time as the unit becomes occupied. Mr. Holden requested approval to temporarily pay the readiness charge from the City Commission's donation fund, until the unit is rented. It was the consensus of the City Commission to pay the \$35 monthly charge until the unit is rented.

8. MATTERS FROM MAYOR AND COMMISSIONERS:

Mayor Quesinberry:

Stated that he has received a request from Ms. Tyrrell to conduct a Pro-American Rally by Lake Apopka on April 5, 2003, after all the necessary paperwork has been completed and submitted. It was the consensus of the City Commission to approve the rally request.

Commissioner Dixon:

- Announced that on April 1, 2003, there will be a bus leaving from Maxey Center at 6 a.m. going to Tallahassee to address health-related issues.
- Announced that starting tomorrow, there will be a Southeast Florida Housing Summit for two days at the Expo Center and it will be addressing affordable housing.
- Stated that she will be requesting additional funding from the City for the Maxey Center computer training program.

The meeting was adjourned at 7:52 p.m.